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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,543	07/20/2005	Yuzo Minobe	3462.1013-000	9995
21005 7590 02/06/2008 HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 VIRGINIA ROAD P.O. BOX 9133 CONCORD, MA 01742-9133			EXAMINER CALAMITA, HEATHER	
			ART UNIT 1637	PAPER NUMBER
			MAIL DATE 02/06/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10517543	7/20/05	MINOBE ET AL.	3462.1013-000

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**EXAMINER**

Heather G. Calamita, Ph.D.

ART UNIT	PAPER
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1637 20080124

DATE MAILED:

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**Commissioner for Patents**

The reply filed on November, 8, 2007, is not fully responsive to the Office Action mailed August 6, 2007, because of the following omission(s) or Matter(s): Dependent claims 27-38 recite method steps which cannot be preformed as written. For example claims 22 recites method steps a) determining in the genome of the test rice the nucleotide at one or more single nucleotide polymorphism...and b) comparing the nucleotide at the one or more SNP markers or the nucleotide that composes a base pair with ... Claim 27 recites the method of claim 22 further comprising the following steps (a) to (c): a) preparing DNA from the test rice. The steps cannot be preformed in this order. Additionally, Applicants fail to elect a single sequence and SNP marker for initial search and examination. Applicants indicate a provisional election of SEQ ID NO: 1, but claim 22, does not reflect this election. Claim 22, recites one or more SNP markers or the nucleotide that composes a base pair with the nucleotide at the one or more SNP markers... and the one or more SNP markers are selected from the group consisting of the SNP markers as set forth in Table 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather G. Calamita whose telephone number is 571.272.2876 and whose e-mail address is [heather.calamita@uspto.gov](mailto:heather.calamita@uspto.gov). However, the office cannot guarantee security through the e-mail system nor should official papers be transmitted through this route. The examiner can normally be reached on Monday through Thursday, 7:00 AM to 5:30 PM.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Gary Benzion can be reached at 571.272.0782. Papers related to this application may be faxed to Group 1637 via the PTO Fax Center using the fax number 571.273.8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to 571.272.0547.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

Heather Calamita  
Art Unit 1637

*Heather Calamita*  
1/24/2008